



12-22-04

DT07 Rec'd PGT/PTO 21 DEC 2004

PATENT APPLICATION

10/502442

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re United States Patent Application of:**

**Applicant: BRAUN, et al.**

**Application No.: 10/502,442**

**371 Submission Date: 22 JULY 2004**

**Title: DIAGNOSTIC CONJUGATE  
FOR INTRACELLULAR  
IMAGING AND FOR  
DIFFERENTIATING  
BETWEEN TUMOR AND  
NON-TUMOR CELLS**

**Docket No.: 4121-171**

**Conf. No.: Unassigned**

**Customer No.:**

**23448**

**EXPRESS MAIL CERTIFICATE**

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 and Express Mailed under the provisions of 37 CFR 1.10.

*Joanna Joslyn*  
Joanna Joslyn

December 21, 2004

Date

EO 003 556 509 US

Express Mail Label Number

**RESPONSE TO OCTOBER 21, 2004 NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID  
SEQUENCE DISCLOSURES IN U.S. PATENT APPLICATION NO. 10/502,442**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the October 21, 2004 Notice to Comply with Requirements in the above-identified application, enclosed herewith are:



- (1) a paper copy of the document entitled "171 Sequence Listing.ST25" ("Sequence Listing");
- (2) a computer readable copy of the Sequence Listing;
- (3) a statement under 37 C.F.R. §1.821 (f) for the Sequence Listing; and
- (4) a return copy of the October 21, 2004 Notice to Comply with Requirements for this application.

### CONCLUSION

The enclosed sequence listings place the application in form for examination upon entry of same. Please charge any additional fee or amount properly payable in connection with this Response to File Missing Parts, to Deposit Account No. 08-3284 of Intellectual Property/Technology Law.

Respectfully submitted,

Marianne Fuierer  
Registration No. 39,983  
Attorney for Applicants

INTELLECTUAL PROPERTY/  
TECHNOLOGY LAW  
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IPTL File: 4121-171



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO. 10/502,442	FIRST NAMED APPLICANT Klaus Braun	ATTY. DOCKET NO. 4121-171
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RECEIVED

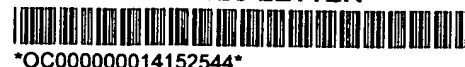
OCT 26 2004

IPTL

INTERNATIONAL APPLICATION NO. PCT/EP03/00609	
I.A. FILING DATE 01/22/2003	PRIORITY DATE 01/22/2002

Steven J Hultquist  
 Intellectual Property/Technology Law  
 P O Box 14329  
 Research Triangle Park, NC 27709

CONFIRMATION NO. 3755  
 371 FORMALITIES LETTER



\*OC000000014152544\*

Date Mailed: 10/21/2004

### NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c) and PCT Rule 5.2(a).
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

WINSTON M ALVARADO

Telephone: (703) 305-6421

*Response due 12/21/04*  
*MJ✓*

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/502,442	PCT/EP03/00609	4121-171

FORM PCT/DO/EO/922 (371 Formalities Notice)